

The Magistrate Judge recommended that this matter be reversed and remanded to the ALJ to consider the records of Dr. Rao and Ms. Sadlo, to formulate a new mental residual functional


capacity for plaintiff based on the medical evidence in the record, and to order, if needed, additional medical information addressing plaintiff's mental ability to function in the workplace. Neither party has filed an objection to the recommendation and the time to do so has passed.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 18]

**IT IS FURTHER ORDERED** that the decision of the Commissioner denying plaintiff's applications for disability insurance benefits under Title II of the Social Security Act and for supplemental security income benefits under Title XVI of the Act is **REVERSED** and pursuant to sentence four of 42 U.S.C. § 405(g), is **REMANDED** for further proceedings consistent with the Report and Recommendation.

An appropriate judgment of remand will accompany this order.

  
**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 14th day of September, 2009.